

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JUNE 2, 2021
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[May 19, 2021 Regular Meeting Minutes](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

WRITTEN COMMENTS WELCOME:

public-input@bsb.mt.gov

SECTION 1: BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS

PRESENTATION

1.COMMUNICATION NO. [2021-252](#)

Ed Randall, Community Enrichment Director requesting Council of Commissioners concurrence for a presentation on the June 2, 2021 agenda to provide an update on the Butte-Silver Bow Community Enrichment Department.

SECTION 2: CONSENT AGENDA

A. COMMITTEE REPORTS

- 1.COMMITTEE OF THE WHOLE MEETING REPORT*
- 2.FINANCE & BUDGET COMMITTEE MEETING REPORT*
- 3. PUBLIC WORKS COMMITTEE MEETING REPORT*
- 4. JUDICIARY COMMITTEE MEETING REPORT*

B. COMMUNICATIONS

1.COMMUNICATION NO. [2021-251](#)

Mike Nasheim, Building Official informing the Council of Commissioners that the Building Codes Department has not adopted the NFPA 99c Standard on Gas and Vacuum System (medical gas), 2018 Edition. The Building Codes Department is not certified to inspect these systems and therefore is not adopting this code.

Concur and Place on File



2.COMMUNICATION NO. [2021-253](#)

Laci Ridder, Executive Director Big Brothers and Sisters requesting Council of Commissioners permission for use of the Original Mine Yard and Stage on September 3rd and 4th, 2021 for our Rhythm and Brews Fundraiser.

Concur and Place on File

3.COMMUNICATION NO. [2021-254](#)

Ed Banderob, 2601 Grand Avenue requesting Council of Commissioners to request the BSB Chief Executive to request the BSB Health Department and BSB Board of Health to have the BSB Health Study Advisory Committee act as a Community Advisory Council to review what has been done in other countries and communities to mitigate the health and economic impact of this COVID-19 virus and prepare an action plan should we get another virus that may not be contained by the current vaccines.

Refer to Health Department and hold in the Committee of the Whole

4.COMMUNICATION NO. [2021-255](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorization for the Chief Executive J.P. Gallagher to sign a Lease with Purchase agreement with Town Pump for 24 acres in the Montana Connections Business Development Park.

[2021-255 Agreement](#)

Concur and Place on File

5.COMMUNICATION NO. [2021-256](#)

Matthew Boyle, Montana Booking Agency CEO requesting Council of Commissioners permission to close one block of Galena Street from Main over to Wyoming Street from 4pm-1am on July 2nd, and August 6th, 2021 to host The Block Party.

Concur and Place on File

6.COMMUNICATION NO. [2021-257](#)

Bill Fisher, Butte Depot requesting Council of Commissioners permission to hold a public concert at Copper Mountain park on August 26, 2021. We have hired the multi-platinum award winning country band Blackhawk.

Concur and Place on File

7.COMMUNICATION NO. [2021-258](#)

Matthew Boyle, Parade and Events Coordinator requesting Council of Commissioners permission host Butte's 4th of July Parade. The parade is scheduled for Sunday July 4th, 2021 at 10:00 am.

Concur and Place on File

8.COMMUNITION NO. [2021-259](#)

Matthew Boyle, Parade and Events Coordinator requesting Council of Commissioners permission to close Alabama Street below the park from 12 pm to 11 pm to all traffic to accommodate setup, tear down and the presentation for a summer event in Chester Steele Park on July 3rd, fondly referred to as The Big Bang.

Concur and Place on File



9.COMMUNICATION NO. [2021-260](#)

Angie Mullikin, Public Works Budget Analyst requesting Council of Commissioners for time on the June 16, 2021 Council of Commissioners regular meeting to open bid for Dog Kennels for the Animal Shelter.

Hold in Abeyance

10.COMMUNICATION NO. [2021-261](#)

Padraig Cunneen, Public Works Engineer requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to sign Amendment #1 to Contract Agreement # 2020-149 with HDR Engineering for the Update of the Butte Water Master Plan.

[2021-261 Amendment](#)

Concur and Place on File

11.COMMUNICATION NO. [2021-262](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the June 16, 2021 Council of Commissioners regular meeting for a presentation on County wide Maintenance District Workplan update for FY2021 and Workplan for FY2022.

Hold in Abeyance

12.COMMUNICATION NO. [2021-263](#)

Mark Neary, Public Works Director requesting Council of Commissioners for time on the June 16, 2021 Council of Commissioners regular meeting to open bids for materials for the 2021 water Main Replacement Projects.

Hold in Abeyance

13.COMMUNICATION NO. [2021-264](#)

Jerome McCarthy, Butte-Silver Bow City Court Judge requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to sign the For The Record Master Software Service Agreement to purchase the software and equipment to provide required recording services for the new fourth floor Veterans' Courtroom.

[2021-264 Agreement](#)

Concur and Place on File

14.COMMUNICATION NO. [2021-265](#)

Padraig Cunneen, Public Works Engineer requesting Council of Commissioners for time on the June 9, 2021 Committee of the Whole meeting for a presentation with Bob Lazzari Parks and Rec Director concerning the Basin Creek Reservoir.

Hold in Abeyance

15.COMMUNICATION NO. [2021-266](#)

Angie Mullikin, Public Works Budget Analyst requesting Council of Commissioners to request the BSB Chief Executive sign the Generator Service Agreement between Western State CAT and Butte-Silver Bow for the Wastewater Treatment Plant.

[2021-266 Agreement](#)

Concur and Place on File



16.COMMUNICATION NO. [2021-267](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to sign the Software License Agreement and Support Services Addendum Agreement between Cardinal Tracking, Inc., and the City and County of Butte-Silver Bow.

[2021-267 Agreement](#)

[2021-267 Addendum](#)

Concur and Place on File

17.COMMUNICATION NO. [2021-268](#)

Brian McGregor, Silver Dollar Saloon requesting Council of Commissioners permission for a street closure on June 25, 2021, on Mercury Street, west from Main Street to the Alley from 6:30 pm for the annual "Street Dance" celebration.

Concur and Place on File

18.COMMUNICATION NO. [2021-269](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to sign the Loan Documents related to the TIFID Loan to Seacast of Montana. The loan has been approved by the BLDC Loan Committee and the TIFID Board.

[2021-269 Agreement](#)

[2021-269 Deed of Trust](#)

Concur and Place on File

19.COMMUNICATION NO. [2021-270](#)

Mike Clague, Deputy County Attorney requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to sign the Butte Veterans Treatment Court Services Contracts for the Butte Silver-Bow Veterans Treatment Court BVTC.

[2021-270 Purchase Agreement](#)

[2021-270 Agreement](#)

[2021-270 Case Management](#)

Concur and Place on File

20.COMMUNICATION NO. [2021-271](#)

Bob Lazzari, Park and Recreation Director requesting Council of Commissioners to request the BSB Chief Executive J.P. Gallagher to sign an agreement between the NRDP and Butte-Silver Bow. The NRDP will provide funding from the Butte Area One Restoration Fund for Butte-Silver Bow to hire a camp host and rent porta-potties which will support public recreational access to the Basin Creek Reservoir.

[2021-271 Agreement](#)

Concur and Place on File



SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1.COUNCIL BILL NO. [2021-05](#)
ORDINANCE NO. [2021-05](#)

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY 1.5 ACRES FROM R-2 TWO-FAMILY RESIDENCE) TO C-2 (COMMUNITY COMMERCIAL), COMMONLY LOCATED BETWEEN PARK STREET AND BROADWAY STREET, WEST OF OHIO STREET; LOCATED IN THE BAL TIC LODE, SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

1.RESOLUTION NO. [2021-22](#)

A RESOLUTION EXTENDING THE SPECIAL TOURISM BUSINESS IMPROVEMENTT DISTRICT NO. 1, FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY-COUNTY OF BUTTE-SILVER BOW; DESIGNATING AND DESCRIBING THE BOUNDARIES OF SAID PROPOSED SPECIAL TOURISM BUSINESS IMPROVEMENT DISTRICT AND PROVIDING FOR THE EFFECTIVE DATE HEREIN.

SECTION 4: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULE FOR FINAL PASSAGE

1.RESOLUTION NO. [2021-20](#)

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA)PROGRAM FUNDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION NO. [2021-21](#)

A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY (BaRSAA)PROGRAM FUNDS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

June 2, 2021, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office

June 2, 2021, Butte AIDS Support Services, 7:00 pm, Community Center

June 3, 2021 Civic Center, 12:00 pm, Civic Center Hospitality Room

June 3, 2021, East Butte RRA, 9:00 am, 1st Floor Conference Room, *ad hoc basis*

June 8, 2021, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center

June 9, 2021, Board of Health, 7:00 am, Health Dept. Conference Room

June 9, 2021, Land Sales Committee, 1:30 pm, First Floor Conference Room



June 9, 2021, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
June 10, 2021, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
June 10, 2021, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.
June 11, 2021, TIFID, 12:00 pm, Business Development Center
June 14, 2021, Archives, 12:00 pm, Archives Center
June 14, 2021, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
June 15, 2021, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
June 15, 2021, Urban Forestry Board, 1:00 pm, Business Development Center
June 15, 2021, Public Housing Authority, 5:00 pm, New Deal Community Center
June 16, 2021, Parking Commission, 3:00 pm, Chief Executive Conference Room
June 17, 2021, Zoning Board, 5:30 pm, Council Chambers
June 21, 2021, Parks & Recreation, 11:30 am, Highland View Clubhouse
June 22, 2021, Port of Montana, 12:00 pm, Hub Center, Silver Bow
June 22, 2021, Urban Revitalization, 8:30 am, 1st Floor Conference Room

ADJOURN

MEETINGS

ECONOMIC DEVELOPMENT COMMITTEE MEETING

JUNE 2, 2021

6:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

1. Butte Local Development Report- Joe Willauer

FINANCE & BUDGET COMMITTEE MEETING

JUNE 2, 2021

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of June 2, 2021 was reviewed and approved in the amount of
\$ _____ 2021.

REPORTS

COMMITTEE OF THE WHOLE REPORT

MAY 26, 2021

*TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW
COUNCIL OF COMMISSIONERS*

Ladies and Gentlemen,

We, your Committee of the Whole Committee, respectfully recommend as follows:



PRESENTATIONS

1.COMMUNICATION NO. [2021-217](#)

Jim Fisher, BSB Commissioner District 6 requesting Council of Commissioners authorization for the Chief Executive J.P. Gallagher to invite someone from the DEQ and EPA to our Council Meeting to update and explain the clean-up and future use of the Montana Pole site.

Held

2.COMMUNICATION NO. [2021-230](#)

Dori Skrukrud, Greenway Project Manager requesting Council of Commissioners authorization to request time on your May 26, 2021 Committee of the Whole meeting to present an update on the Silver Bow Creek Greenway.

Hold in Abeyance

3.COMMUNICATION NO. [2021-231](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to request time on your May 26, 2021 Committee of the Whole meeting to present information on the Uptown Master Plan.

Held

SECTION 2. COMMUNICATIONS

1.COMMUNICATION NO. [19-582](#)

Ed Banderob, Greeley Neighborhood Community Development Corporation requesting Council of Commissioners to invite a Montana DPHHS' Toxicologist to give a Presentation relative to the Hazards/Risks to human health of heavy metals contaminates present in the Butte-Silver Bow Community.

Note and Place on File

2.COMMUNICATION NO. [2020-503](#)

Dan Olsen, Commissioner District 5 requesting Council of Commissioners to address the following problem with Butte-Silver Bow Ordinance Chapter 6.16 - Livestock and Domesticated hooved Animals as currently written is unenforceable by B-SB and does not interface seamlessly with MCA 81-4-201--81-4-401 to allow the State to provide enforcement.

Move to Judiciary

3.COMMUNICATION NO. [2021-131](#)

Ed Lester, Butte-Silver Bow Sheriff requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the Memorandum of Understanding (MOU) between Butte-Silver Bow and the Southwest Montana Drug Task Force.

[2021-131 MOU](#)

Hold in Abeyance



4.COMMUNICATION NO. [2021-182](#)

Carrie Keane, on behalf of Geo. Steele Co. requesting Council of Commissioners authorization to purchase the vacant Butte-Silver Bow property located at 750 S. Wyoming Street. It is our intention, upon approval of our application to use this property for a new metal sided garage which will house our new delivery vans.

[2021-182 Maps](#)

Cross Reference 2021-182 with Communication No. 2021-240 and Place on File

5.COMMUNICATION NO. [2021-208](#)

Lori Baker-Patrick, BSB County Treasurer requesting Council of Commissioners to direct the County Attorney to prepare a Council Resolution authorizing the mailing of Tax Deed Notifications.

Cross Reference 2021-208 with Resolution No. 2021-18 and Place on File

6.COMMUNICATION NO. [2021-209](#)

Ellen Crain, BSB Public Archives Director requesting Council of Commissioners concurrence to make a presentation at the May 19th, 2021 Council of Commissioners Meeting. The presentation will provide a report on the activities of the Archives/Chateau department for the year 2020.

Concur and Place on File

7.COMMUNICATION NO. [2021-230](#)

Dori Skrukrud, Greenway Project Manager requesting Council of Commissioners authorization to request time on your May 26, 2021 Committee of the Whole meeting to present an update on the Silver Bow Creek Greenway.

Hold in Abeyance until June 9, 2021 COW Meeting

8.COMMUNICATION NO. [2021-231](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to request time on your May 26, 2021 Committee of the Whole meeting to present information on the Uptown Master Plan.

Concur and Place on File

9.COMMUNICATION NO. [2021-248](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners to approve the letter from Amy Cline requesting to purchase Butte-Silver Bow property at 7 West Agate.

[2021-248 Letter/Map](#)

Hold in Abeyance

FINANCE & BUDGET COMMITTEE MEETING REPORT

MAY 26, 2021

6:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE- SILVER BOW COMMISSIONERS



Ladies and Gentlemen,

We, your Council of Commissioners, and Madame Chairman Cindi Shaw, respectfully recommends as follows: Expenditure report for the week of May 26, 2021 was reviewed and approved in the amount of \$385,018.24 for 2021.

FINANCE AND BUDGET COMMITTEE MEMBERS PRESENT/ ABSENT

John Sorich, Chair	P
Josh O’Neill, Vice Chair	P
Hattie Thatcher	P
Jim Fisher	P
John Riordan	P
Justin Fortune	P

PUBLIC WORKS COMMITTEE MEETING REPORT

MAY 26, 2021

6:30 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE- SILVER BOW COMMISSIONERS

1.COMMUNICATION NO. [2020-411](#)

Brendan McDonough, Commissioner District 8 requesting Council of Commissioners consideration that Butte-Silver Bow take over the outside maintenance of the Community Ice Center located at Clark Park. The original operating agreement had the Butte Amateur Hockey Association maintaining the grounds; however, I think BSB should assume the maintenance.

Hold in Abeyance

2.COMMUNICATION NO. [2021-245](#)

Eric Mankins, Commissioner District 9 requesting Council of Commissioners to have the Public Works Committee consider a speed study be conducted by the Montana Department of Transportation on Iron Street (Exit and Entrance) both east and west bound traffic.

Hold in Abeyance

PUBLIC WORKS COMMITTEE PRESENT/ABSENT

Jim Fisher, Chairman	P
Eric Mankins, Vice Chairman	P
Dan Callahan	P
John Sorich	P
Justin Fortune	P
Mark Neary	P



JUDICIARY COMMITTEE MEETING REPORT

MAY 26, 2021

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE- SILVER BOW COMMISSIONERS

Name	Amount	Reason	Approved	
JOHN BISCH	\$400.00	DEMO BOND- REFUND #525 FOR 3113 SANDERS	YES	

JUDICIARY COMMITTEE MEMBERS

PRESENT/ABSENT

Bill Andersen, Chairman	P
Michele Shea, Vice Chairman	P
Dan Callahan	P
Hattie Thatcher	P
Eric Mankins	P
John Sorich	P

